

Interviewing 101

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Types of Witnesses for Interviewing

- ▲ *Family and Friends*
- ▲ *Lay Witnesses*
- ▲ *Past Experts*
- ▲ *Support Systems*
- ▲ *Jail Officials*
- ▲ *Past providers, teachers, doctors, etc*
- ▲ *Past Neighbors, old friends, employers, etc*
- ▲ *Church, community and other supporters*



Preparation I

- ▲ *Read everything available on the witness*
 - ▲ *Prior statements, testimony*
 - ▲ *Records that mention them*
 - ▲ *Background info and records*
 - ▲ *What people say about them*
- ▲ *Do records collection, courthouse, media research on them*
- ▲ *Discuss with team members, think about what areas you want to cover during the interview*
- ▲ *Think about what you are trying to prove or gather.*



Preparation II

- ▲ *Gather materials, e.g. records to review with witness*
- ▲ *Print releases*
- ▲ *Locate witness, read maps before you get there*
- ▲ *Make sure you have reviewed the material within an hour or two before the interview*
- ▲ *Cheat sheet*



Team Discussion Before Major Interviews

- ▲ *Brainstorming approaches, goals of the interview*
- ▲ *Identifying key issues to be discussed*
- ▲ *Identify danger areas*
- ▲ *Bouncing ideas around about how to broach or handle difficult topics*
- ▲ *Brainstorm the best statement prospects*



Interviewing Witnesses

- ▲ *Be mindful of the trauma you are dredging up*
- ▲ *Be careful of the secrets*:*
 - ▲ *Sweet*
 - ▲ *Essential*
 - ▲ *Toxic*
 - ▲ *Dangerous*



Starting off the interview

- ▲ *Clothing, appearance*
- ▲ *Identifying yourself*
- ▲ *Explaining the context*
- ▲ *Introducing yourself*
- ▲ *In what order?*
- ▲ *Be super-casual, understanding, friendly, comfortable, but professional and very polite*
- ▲ *Watch your body language*
- ▲ *Intermediaries who have cell phones*
- ▲ *Running interference, deflection*



Interviewing Practices

- ▲ *Curiosity if what drives a good interviewer. You want to learn everything in the hope of finding out anything that might help the client.*
- ▲ *In the beginning, there will be no trust or relationship. Trust and respect must be earned in order to start building a relationship.*
- ▲ *The interviewer must be in the moment. Thinking ahead to the next question will hamper the ability to hear the answer being given.*



Professionalism / Boundaries Integrity / Convenient Excuses

- ▲ *Showing up at their house*
- ▲ *Phone calls, avoiding phone calls, texts, social media*
- ▲ *Divided loyalties*
- ▲ *Crossing the line*
- ▲ *Gifts, sharing food, casual conversation*
- ▲ *Self-disclosure*
- ▲ *Tell the truth, but the abridged version*
- ▲ *Promises*



Summarize and Review

- ▲ *Restate periodically what the witness said*
- ▲ *Determine if you have heard the witness correctly*
- ▲ *Assure the witness that you have been listening*
- ▲ *Ask follow-up questions*
- ▲ *Ask witness for new information, lead, relevant situations, stories, etc*
- ▲ *Allow the witness time to think before responding*
- ▲ *Give witness an opportunity to disclose anything they want prior to ending interview*

Note Taking During the Interview

- ▲ *First ask if it is okay for notes to be taken*
- ▲ *Take detailed notes during interview*
- ▲ *Go back through your notes before concluding interview to make sure everything is accurate and clarify any issues or concerns*

Hostile Witnesses

- ▲ *Clarify that the witness can terminate the interview at anytime*
- ▲ *Let witness consult with someone if they ask*
- ▲ *Do not threat, coerce, or intimidate during questioning*
- ▲ *If a witness refuses to speak, accept it, and document the situation*
- ▲ *Don't promise a benefit or threaten adverse action.*

Do's of Interviewing

- ▲ *Adequately prepare for the interview*
- ▲ *Know what Information you are after*
- ▲ *Disregard preconceived opinions*
- ▲ *Be friendly, polite, and considerate*
- ▲ *Be firm and business like*
- ▲ *Be frank and sincere*
- ▲ *Treat the interviewee as an equal*
- ▲ *Respect their point of view*
- ▲ *Adjust the pace of interview to the person*



Do's for Interviewing

- ▲ *Speak the language of the interviewee.*
- ▲ *Be quick to change your strategy when necessary*
- ▲ *Watch for omissions and discrepancies in their story*
- ▲ *Separate fact from opinion*
- ▲ *Determine the source of the facts and the basis of opinions*
- ▲ *Clarify and supplement the information if necessary*



Don't Interview Guidelines

- ▲ *Don't interview in the presence of others*
- ▲ *Don't be influenced by the interviewee's position*
- ▲ *Don't be too friendly*
- ▲ *Don't argue or antagonize the interviewee*
- ▲ *Don't lose your temper*
- ▲ *Don't appear to be a prosecutor*
- ▲ *Don't treat them like a criminal*



Don't Interview Guidelines

- ⬆ *Don't lie to or deceive the client*
- ⬆ *Don't look down on them or pass judgment on their attitudes*
- ⬆ *Don't voice personal opinions*
- ⬆ *Don't embarrass or belittle the interviewee*
- ⬆ *Don't rush them*
- ⬆ *Don't let them interview you*
- ⬆ *Don't divulge information*


